



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216-2

CRM-M No.62340 of 2024

DATE OF DECISION : 17TH JANUARY, 2025

Satnam Singh @ Dattu

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

* * * *

Present : Mr. Lovepreet Singh Sidhu, Advocate for
Ms. Harpeet Kaur, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab &
Mr. Navdeep Singh, DAG, Punjab.

Mr. S. K. Chawla, Advocate (through VC) &
Mr. Nitin Verma, Advocate for the complainant.

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MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of bail under Section 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023 in case FIR No.146 dated 14.09.2024 under Sections 109, 351(3), 191(3), 190, 111(2)(b) of BNS, 2023 (Section 61(1)(2) of BNS added later on); Section 25 of Arms Act and Section 4 & 5 Explosive Substances Act, 1908, registered at Police Station Sadar Faridkot, District Faridkot, Punjab.

2. Learned Counsel for the petitioner submits that although the petitioner had been named in the FIR in question, however, a perusal of the FIR which has been annexed as Annexure P-1, clearly reveals that no specific role much less injury has been attributed to him; the only role, if



any, attributed to him is of being part of the unlawful assembly and thereafter having pelted stones towards the complainant party. It has been further submitted that the occurrence took place on 13.09.2024 and it was two days later a supplementary statement was made by the complainant wherein he implicated the petitioner, along with other co-accused, as also being one of the participants in the alleged occurrence. Learned counsel for the petitioner has asserted that no doubt one fire arm injury has been sustained by brother of the complainant, namely Hardeep Singh, however, the said fire arm injury has not been attributed to the petitioner but to the prime accused Love, with whom the complainant allegedly had some previous history of animosity. Learned counsel has, therefore, prayed for extending concession of bail to the petitioner, who has been in custody since 15.09.2024. It has been submitted that the investigation in the present case is complete as challan already stands presented. It has also been contended that there is little likelihood of the trial concluding in the near future as none of the 18 prosecution witnesses have been examined, and the charges have not yet been framed.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel opposite, has not been able to dispute that no specific injury or role has been attributed to the petitioner. On a pointed query learned State counsel on instructions has not disputed that two fire arm injuries, allegedly sustained by injured Hardeep Singh, has not been attributed to the petitioner but to co-accused Love, who allegedly had an axe to grind against the complainant



party. Learned State counsel on further instructions has neither disputed the custody period nor the stage of the trial.

4. On further query, learned State counsel, on instructions has not disputed that the petitioner has no previous criminal antecedents.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner as no further incarceration of the petitioner is required.

7. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

17th January, 2025
'raj'

(MANJARI NEHRU KAUL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>